

FOR THE DISTRICT OF DELAWARE

In re: * Chapter 11
*
W. R. GRACE & CO., et al., * Case No. 01-01139 (JKF)
*
Debtors. * (Jointly Administered)

9:08 a.m.

Reported by: Marianne R. Hewitt

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Page 86

1 bulk for said content, that's the information you
2 need.
3 You're inferring from the high value that
4 there's something wrong from the bulk or something
5 wrong with the air, and that's the only data if you
6 want to rebut it that can certainly rebut it.
7 Q. You know we have mesotheliomas in Libby,
8 correct?
9 A. Yes, I do know that.
10 Q. Do you know that there's mesotheliomas in not
11 only the miners but family members?
12 A. I'm not familiar with all of the data, I just
13 knew there were mesotheliomas.
14 Q. Okay. And you don't know and you haven't
15 looked into whether those mesotheliomas are
16 attributable to tremolite fibers or tremolite cleavage
17 fragments if they're there, you just don't know that.
18 A. I don't know that.
19 Q. Okay. Dr. Corn, were you asked to get
20 involved in the Libby matter by Grace?
21 A. I wasn't asked.
22 Q. Did you have conversations with someone about
23 getting involved in it?
24 A. I indicated I didn't want to be involved in
25 it.

Page 87

1 Q. Okay. And the reason you didn't want to be
2 involved in it was what?
3 A. Everything I had read, workers were exposed
4 at very high values and there was extensive disease,
5 and in my mind that was a closed issue.
6 I was told that Grace acknowledges that about
7 the situation in the past amongst the working
8 population was such that disease could develop and they
9 took responsibility for that disease.
10 That was before the issues of the homes and
11 the contamination of Libby arose, but it was at that
12 early stage that I indicated I would rather not be
13 involved.
14 Q. All right. Did you indicate you would rather
15 not be involved in the super fund action out there
16 which involved the government's attempt to recover from
17 Grace the cost of cleanup?
18 A. I said anything involved with the facility
19 and with the working population associated with the
20 facility was my -- that was discussions early on. I
21 guess I --
22 Q. Is it for some personal reason you just don't
23 feel right about trying to defend that type of
24 activity?
25 A. I felt where there's a situation that is

Page 88

1 clearly a situation where workers were exposed at
2 levels where there's a significant amount of disease, I
3 wasn't sure what I could contribute as an expert.
4 Q. All right. But how about as to the homes and
5 the cleanup? We're not talking about the personal
6 injury cases, we're talking about the homes and the
7 cleanup.
8 A. Then it got to the homes and the cleanup --
9 Q. Right.
10 A. -- and they never came back to me. And I
11 never aggressively said hey, I told you I wouldn't get
12 involved in the facility, but I'd like to get involved
13 in the cleanup.
14 Q. Okay.
15 A. So I was never associated with any of that
16 effort.
17 Q. Okay.
18 A. And then I was asked to look at the attic
19 insulation and that struck me as a very interesting
20 involvement, particularly on the heels of the
21 buildings, and I said I'd be happy to be involved.
22 Q. Okay. Did part of your involvement for Grace
23 involve going down to meet with EPA officials in
24 Washington?
25 A. Yes, I went to Washington and met with senior

Page 89

1 management of the agency, the kind of second tier
2 management.
3 Q. Okay. Who went with you?
4 A. R. J. Lee, Mr. Finke, a vice president of
5 Grace, and I believe Gary Marsh. I think he was
6 president for the University of Pittsburgh.
7 Q. Okay.
8 A. And I believe that was it, I can't think of
9 any others at this point.
10 Q. Okay. And do you remember who you met with
11 at EPA?
12 A. There was a deputy assistant director. I
13 didn't make notes of who was there and the titles, but
14 I believe it was a deputy assistant director from the
15 Washington office.
16 And there was a senior person from the Region
17 VIII office.
18 And then there was a very large number of
19 other EPA employees, probably as many as a dozen, I
20 don't remember.
21 And there were people there from the
22 solicitor's office.
23 Q. Okay. And was the meeting in connection with
24 the ZAI issue?
25 A. Yes.